

Transportation

PUBLIC 544 **An Act To Amend the Laws Concerning Automobile Dealer** **LD 1677**
EMERGENCY **Registration Plates**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON	OTP-AM	S-382
ASH		

Public Law 2003, chapter 544 amends the minimum sales requirement of 12 vehicles in order to obtain a renewal of a dealer license by removing the restriction to retail sales only. The law also exempts dealers engaged primarily in the sale of classic vehicles, emergency vehicles or industrial or farm equipment from the minimum sales requirement.

Public Law 2003, chapter 544 was enacted as an emergency measure effective March 10, 2004.

PUBLIC 566 **An Act To Increase the Bond Limit of the Maine Turnpike** **LD 605**
 Authority

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH	OTP-AM	S-411
SAVAGE		

Public Law 2003, chapter 566 increases the Maine Turnpike Authority's revenue bonding capacity from \$291,000,000 to \$361,000,000.

PUBLIC 571 **An Act To Amend Transportation Laws** **LD 1654**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH	OTP-AM	S-406
USHER		

Public Law 2003, chapter 571 amends highway entrance laws by clarifying the intent of regulations affecting maintenance of existing posted speeds on arterial highways and grants the Department of Transportation more flexibility in locating driveways and entrances within breaks in control of access areas.

PUBLIC 572 **An Act To Allow Communications Towers on Land of the Maine** **LD 1676**
 Turnpike Authority

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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH	OTP	

Public Law 2003, chapter 572 removes the requirement that any communications tower built or acquired on property of the Maine Turnpike Authority be used exclusively by the Maine Turnpike Authority.

PUBLIC 591 An Act To Simplify the Maine Turnpike Authority's Enforcement LD 1705 Procedures for Toll Violations

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH	OTP-AM	H-763 MARLEY S-412

Public Law 2003, chapter 591 amends the Maine Turnpike Authority's procedures for collecting fees and fines for failure to pay tolls and establishes an administrative appeal process within the Maine Turnpike Authority. It allows a toll evader to appeal a written notice of liability through the Maine Turnpike Authority's administrative procedures, after which a toll evader may choose to appeal the final decision of the Maine Turnpike Authority in Superior Court.

The law provides that a toll evader has a 30-day period either from the receipt of a notice of liability or, in the case of an appeal, from the final decision of the Maine Turnpike Authority on the appeal or from the final adjudication of liability in Superior Court in which to pay any applicable tolls, administrative fees and penalties. If the toll evader fails to pay all applicable tolls, administrative fees and penalties, the registration of the vehicle owner will be suspended.

The law also provides that an image that shows the face of a person may not be used by the Maine Turnpike Authority for the purpose of collecting tolls and fines for nonpayment of tolls.

PUBLIC 633 An Act To Amend the Motor Vehicle Laws LD 1694

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH USHER	OTP-AM	S-419

Public Law 2003, chapter 633 amends the motor vehicle statutes as follows:

1. It removes the requirement that state rules regarding the transportation of hazardous materials that adopt federal rules by reference must contain a brief description of the substance of the referenced federal rule;

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2. It allows all law enforcement officers to enforce disability parking restrictions. It also creates a traffic infraction prohibiting a person from parking in a parking space that is clearly marked for use by a physically disabled person only if the person has not been issued a disability registration plate or placard or is not transporting a person who has been issued a disability registration plate or placard;
3. It allows an employee of the State Police designated as a motor vehicle inspector to immediately suspend or revoke a license issued to any official inspection station or an inspection mechanic for a violation of the laws or rules pertaining to motor vehicle inspections;
4. It clarifies that only ambulances, emergency medical service vehicles, fire department vehicles or hazardous response vehicles, and not personally owned vehicles, may be equipped with and display one blue light, that the light must face to the rear and that the light must be primarily visible to approaching traffic from the rear only;
5. It changes the requirements regarding school bus inspections so that each bus must be inspected twice per year at an inspection station, at times set by the State Police in consultation with the Department of Education, and once instead of twice per year by a State Police officer;
6. It adds a cross-reference that was inadvertently omitted regarding prior convictions to be considered for the aggravated punishment category for operating under the influence;
7. It allows the operator of an authorized emergency vehicle to activate emergency lights for the limited purpose of warning motorists when entering or exiting structures designed to house the emergency vehicles; and
8. It prohibits a person from possessing, operating, or allowing the operation of preemptive traffic light devices designed to change traffic lights from red to green or green to red, except for those used in certain authorized emergency vehicles, transit buses and highway maintenance vehicles.

PUBLIC 652 An Act To Amend the Motor Vehicle Laws
EMERGENCY

LD 1700

Sponsor(s)
HATCH PH
USHER

Committee Report
OTP-AM

Amendments Adopted
H-865 MARLEY
S-473

Public Law 2003, chapter 652 amends the motor vehicle statutes as follows:

Part A extends the period that dealers and financial institutions have to apply for titles from 20 to 30 days and reduces the late filing fee from \$125 to \$50. It also corrects a technical error in the funding of a position created in Public Law 2003, chapter 356 and moves the Other Special Revenue Funds allocation for the Maine Motor Vehicle Franchise Board from the Bureau of Administrative Services and Corporations to the Bureau of Motor Vehicle Administration account. This Part was enacted as an emergency measure effective April 22, 2004.

Part B does the following.

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1. It creates a process for the Secretary of State to issue recognition license plates;
2. It allows the Secretary of State to issue special disability registration plates for veterans;
3. It allows dealers to carry a load on a vehicle or combination of vehicles while using their dealer plates if the load is in conjunction with the sale or purchase of a motor vehicle, trailer or equipment by the dealership. The load may consist of only one automobile, truck or truck tractor. The load may consist of multiple trailers or equipment that the dealer is licensed to sell. The dealer is allowed to purchase more than one permit, which may be renewed annually;
4. It clarifies that, in addition to rules, the State shall adopt administrative procedures, practices and policies, organizational structures, internal control mechanisms and resource assignments to ensure compliance with the federal Commercial Motor Vehicle Safety Act of 1986; and
5. It removes the requirement that a representative of the American Automobile Association serve on the Secretary of State's Technical Review Panel for driver education.

Part C allows the Secretary of State to cancel and not suspend the motor vehicle registration for stored vehicles for which insurance coverage is cancelled, terminated or lapsed effective January 1, 2005.

Unless otherwise noted above, this law takes effect July 30, 2004.

Public Law 2003, chapter 652 was enacted an emergency measure and took effect April 22, 2004, except for Part C which takes effect January 1, 2005.

PUBLIC 683 An Act To Honor Maine's First Peoples LD 1732

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE F EDMONDS	OTP-AM	H-717 H-744 MARLEY

Public Law 2003, chapter 683 establishes a process to issue a special motor vehicle registration plate for members of the Wabanaki Confederacy in Maine.

PUBLIC 690 An Act To Make Additional Allocations from the Highway Fund LD 1934
EMERGENCY and Other Funds for the Expenditures of State Government and To
Change Certain Provisions of State Law Necessary to the Proper
Operations of State Government for the Fiscal Years Ending June
30, 2004 and June 30, 2005

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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH USHER	OTP-AM	S-487

Public Law 2003, chapter 690 does the following.

Part A makes allocations of funds.

Part B makes allocations of funds for approved reclassifications and range changes.

Part C does the following:

1. It requires the State Budget Officer to calculate the amount of expenditures in section 2 of that Part that applies against each Highway Fund account for all departments and agencies for the increased state cost allocation program requirements associated with the recovery of unfunded actuarial liability costs and requires the State Budget Officer to transfer the amounts by financial order upon the approval of the Governor; and
2. It allocates funds for the recovery of unfunded actuarial liability costs paid by the General Fund.

Part D does the following:

1. It requires the State Budget Officer to calculate the amount of savings in section 2 of that Part that applies against each Highway Fund account for all departments and agencies from savings in the cost of health insurance and to transfer the amounts by financial order upon the approval of the Governor; and
2. It deallocates funds to reflect savings in health insurance rates.

Part E does the following:

1. It requires the State Budget Officer to calculate the amount of savings in section 2 of that Part that applies against each Highway Fund account for all departments and agencies from savings in the cost of workers' compensation insurance and to transfer the amounts by financial order upon the approval of the Governor; and
2. It deallocates funds to reflect savings in the cost of workers' compensation insurance.

Part F does the following:

1. It specifies that \$1,367,264 of Personal Services unencumbered balance forward and \$107,468 of All Other unencumbered balance forward in fiscal year 2003-04 in the Highway Summer Maintenance account in the Department of Transportation lapses to the Highway Fund in fiscal year 2003-04;
2. It specifies that \$845,363 of Personal Services unencumbered balance forward in fiscal year 2003-04 in the Traffic Services account in the Department of Transportation lapses to the Highway Fund in fiscal year 2003-04; and

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3. It specifies that \$679,905 of Personal Services unencumbered balance forward in fiscal year 2003-04 in the Bridge Maintenance account in the Department of Transportation lapses to the Highway Fund in fiscal year 2003-04.

Part G requires the Commissioner of Transportation to submit a report on proposed strategies to address the State's transportation infrastructure deficit.

Part H authorizes the Commissioner of Transportation to transfer Personal Services savings in the Highway Fund within the Department of Transportation for fiscal year 2003-04 to other line categories and programs.

Part I authorizes the transfer of specified levels of unallocated surplus from the Highway Fund that may be available at the end of fiscal year 2003-04 to the Highway and Bridge Improvement program.

Part J allocates funds to restore funding for health insurance savings that were not realized for fiscal year 2004-05.

Public Law 2003, chapter 690 was enacted as an emergency measure effective May 6, 2004.

P & S 35 An Act To Make Allocations from Maine Turnpike Authority LD 1825
Funds for the Maine Turnpike Authority for the Calendar Year
Ending December 31, 2005

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

Private and Special Law 2003, chapter 35 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2005 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

P & S 36 An Act To Amend the Maine Turnpike Authority's Budget for LD 1704
Calendar Year 2004

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH	OTP-AM	S-387

Private and Special Law 2003, chapter 36 allocates \$598,852 in additional funds to the Maine Turnpike Authority's budget for calendar year 2004 by allocating additional toll revenues to State Police operations. The allocation of additional funds addresses an unexpected increase in the cost of State Police operations on the Maine Turnpike. This unexpected increase in cost is partly due to a provision in Public Law 2003, chapter 40, Part C, section 1, which requires an increase in the overhead rate paid by the authority to the State Police for overhead services. The increase is also partly due to the result of an arbitration between the State of Maine and the Maine

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State Employees Association that will result in a retroactive payment of salaries and benefits to State Police personnel.

P & S 43 An Act To Preserve Transportation Projects Statewide by Using LD 1922
Federal GARVEE Financing for the Waldo-Hancock Bridge
Replacement

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM	S-478
ROSEN		

Private and Special Law 2003, chapter 43 authorizes the use of federal Grant Anticipation Revenue Vehicles, or GARVEE, financing in the amount of up to \$50,000,000 to fund projects associated with the Waldo-Hancock Bridge replacement. The GARVEE bonds will be issued by the Maine Municipal Bond Bank and will be repaid solely from future federal transportation funding apportioned to the State from the Federal Highway Administration and any matching funds of the State. The GARVEE bonds do not constitute a debt or liability of the State or a pledge of its full faith and credit.

RESOLVE 138 Resolve, Regarding Legislative Review of Portions of Chapter 299: LD 1943
EMERGENCY Highway Driveway and Entrance Rules, a Major Substantive Rule
of the Department of Transportation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

Resolve 2003, chapter 138 authorizes the final adoption of Portions of Chapter 299: Highway Driveway and Entrance Rules, a major substantive rule of the Department of Transportation.

Resolve 2003, chapter 138 was finally passed as an emergency measure effective April 22, 2004.